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In re Application of
Umebara et al.
Application No.: 10/587,246
PCT No.: PCT/JP2005/000825
Int'l Filing Date: 24 January 2005
Priority Date: 27 January 2004
Attorney Docket No.: 4600-0124PUS1
For: Plasma Exchange Waste Liquid Purification
And Circulation Dialysis Apparatus

DECISION

This is in response to the renewed petition under 37 CFR 1.182 filed on 07 February 2008.

DISCUSSION

In a Decision mailed on 08 January 2008, the declaration filed on 01 May 2007 was not accepted, without prejudice, because it "nominates an inventor (Mutsuo SASAKI) in place of "Sasaki'mutsuo" nominated in the published international application."

Petitioner argues that the published international application identifies the inventor in question "by his Family Name (Sasaki)/Given Name (mutsuo). This information is in accordance with information supplied on the declaration filed on May 1, 2007..." Petitioner further states that the "reason why the Family Name of inventor Sasaki was not capitalized (e.g., 'SASAKI') and a comma was not inserted between the inventor's Family Name and Given Name is not clear to Petitioners. However, Petitioners submit that these errors are typographical errors in the International Application as published." In view of the totality of the evidence of record, it would be appropriate to accept applicants' characterization of the discrepancy as a typographical error, and to accept the declaration as filed on 01 May 2007 for purposes of compliance with 37 CFR 1.497(a) and (b).

The \$400.00 petition fee paid on 07 February 2008 was not required, and it is being refunded to Deposit Account 02-2448 as authorized by the instant petition.

CONCLUSION

The petition is GRANTED.

The declaration filed on 01 May 2007 is ACCEPTED for purposes of compliance with 37 CFR 1.497(a) and (b).

This application is being forwarded to the Office of Patent Application Processing for further processing consistent with this decision. The date of the application under 35 U.S.C. 371(c)(1), (2) and (4) is 01 May 2007.

/George Dombroske/
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